AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes replaces the original drawing sheet (Figs. 1

and 3).

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REMARKS

Reconsideration and allowance are respectfully requested.

A replacement sheet of drawings is submitted that includes Figs. 1 and 3 which removes an unnecessary label from Fig. 3. Entry is requested.

The specification and abstract are amended to make grammatical and U.S. patent practice changes. No new matter is added. Approval and entry are requested.

Claims 22-25 stand rejected under 35 U.S.C. §112, second paragraph. The dependencies of claims 22 and 24 are corrected. Withdrawal of this rejection is requested.

Claim 18 stands rejected under 35 U.S.C. §101 as being non-statutory. Claim 18 is amended to specify that the computer product includes a computer-readable storage device. Withdrawal of this rejection is requested.

Claims 1-4, 6, 14, 17-22, 26, and 28 stand rejected under 35 U.S.C. §102 as allegedly being anticipated based on Ilas (7,248,571). This rejection is respectfully traversed.

Anticipation is a question of fact. *In re Schreiber*, 128 F.3d 1473, 1477 (Fed. Cir. 1997). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631 (Fed. Cir. 1987). There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *Scripps Clinic & Research Found. v. Genentech Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991). Ilas fails to satisfy this rigorous standard.

Independent claim 1 is amended to specify that the communications network is a local area network and to include the features of dependent claim 2. Independent claim 19 is amended to specify that the communications network is a local area network and to include the features of

dependent claim 20. Independent claim 27 is amended to specify that the communications

network is a local area network and to include the features of dependent claim 2.

The independent claims describe a method, device and system for transmitting data

packets over a Local Area Network (LAN) utilizing transmittal protocol packets that include a

header with an address field and a data field. Several data packets from several users active

within the same LAN are collected and inserted into the data field of a transmittal protocol

packet. A broadcast or multicast address in the header of the transmittal protocol packet is used,

and an individual address is attached to each data packet in the data field. The transmittal

protocol packet is ultimately transmitted.

Ilas discloses transmitting speech frames in a TDMA communication network in which a

timeslot of the TDMA frame is allocated to one or two users. An interleaving technique is used

in which data from two users can be allocated to share the same timeslot of the TDMA frame.

The object of Ilas is to provide an efficient transmission scheme for interleaving data from

different users in the time slots of a TDMA frame, which is particularly suited to the

transmission of voice in an EDGE network.

Regarding the independent claim in this application, Ilas does not disclose using a

broadcast or multicast address in the header of the transmittal protocol packet. The Examiner

refers to the RLC/MAC block in Ilas. But Ilas does not show the addressing of the RLC/MAC

blocks in Fig. 19 or describe such addressing at pages 34-36. Fig. 19(c) illustrates the encoded

RLC/MAC block, including two speech frames of two different users, interleaved onto four

bursts in the downlink and transmitted on the allocated timeslot of the TDMA frame as

illustrated in fig 16 (page 36, lines 7-9). As mentioned on page 30, line 25, the third timeslot is

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allocated to both users, implying that the users only need to listen for their own timeslot for the speech frames to reach their respective destinations.

In contrast, the claimed header is set to a broadcast address, wherein the transmittal protocol packet is sent to all active users in the local area network (LAN), or to a multicast address, where the transmittal protocol packet is sent to a group of predefined receivers. Unlike Ilas, the claimed technology addresses the large overhead problem encountered when sending short packets, such as speech packets, in a LAN using transmittal protocols, such as the MAC protocol, which introduces a large overhead per packet.

By setting the header of the transmittal protocol packet to a broadcast address, one transmittal protocol packet is sent to all or multiple active users in the LAN thereby reducing the large overhead encountered when sending short packets in a LAN. Ilas does not teach such use of a broadcast or multicast address in the header of the MAC protocol. In fact, there would be no reason for a skilled person to do that because a user in a TDMA network only needs to listen to his allocated timeslot.

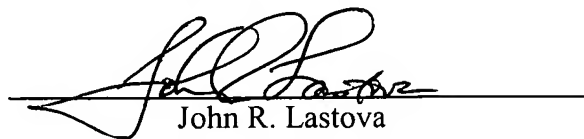The secondary references applied by the Examiner to not remedy the deficiencies of Ilas.

The application is in condition for allowance. An early notice to that effect is requested.

Respectfully submitted,

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